



April 9, 1999

Mr. Jason C. Marshall  
Nichols, Jackson, Dillard,  
Hager & Smith, L.L.P.  
1800 Lincoln Plaza  
500 North Akard  
Dallas, Texas 75201

OR99-0971

Dear Mr. Marshall:

You ask whether certain information is subject to required public disclosure under chapter 552 of the Government Code. We assigned your request ID# 123386.

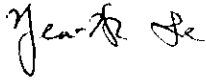
The City of Coppell (the "city"), which you represent, received a request for information concerning any investigation of a named person. You contend that the city should not be required to respond to the request pursuant to section 552.108 of the Government Code.

You have submitted a brief and a supplemental, confidential brief presenting your arguments. In your brief to this office, you explain that no documents exist which are responsive to the request. The Public Information Act does not require a governmental body to make available information which does not exist at the time of the request. Open Records Decision Nos. 452 (1986), 362 (1983); *see also* Open Records Decision No. 605 (1992). Thus, you need not comply with the request.

We are resolving this matter with an informal letter ruling rather than with a published open records decision. This ruling is limited to the particular records at issue under the facts presented to us in this request and should not be relied upon as a previous determination

regarding any other records. If you have questions about this ruling, please contact our office.

Sincerely,

A handwritten signature in black ink, appearing to read "Yen-Ha Le". The signature is fluid and cursive, with the first name "Yen" and last name "Le" clearly distinguishable.

Yen-Ha Le  
Assistant Attorney General  
Open Records Division

YHL/nc

Ref.: ID# 123386

cc: Mr. R.G. Harrell  
548 West Oak Grove  
Coppell, Texas 75019